

PLEA FOR JOHNSON

Editor Advertiser: "Obligation can not, any more than God, grow old and die; till obeyed, it stops in the present tense and represents the eternal now." And so, sir, I feel myself urged to write, and even at this late hour, may it be, the words sent forth good fruit may bear.

The Hawaiian Star of the 25th inst. commences an editorial, "Johnson's Sanity Established." In this wise: "It is satisfactory to all to have proof that Murderer Johnson was not insane." In God's name, Mr. Editor, to whom can such a feeling be satisfactory? Where are they to be found? Has the Star's "devil" been playing pranks or has that other devil, Mephistopheles, been at his subtle work upon that paper's editor? An innocent child of tender years cruelly, ferociously killed. A man is found guilty of the awful deed, and the Star's writer not only himself finds satisfaction, but deliberately says it is satisfactory to all, to have proof that the convicted degenerate was not an insane man. Impossible it is, beyond reasonable doubt, to believe any such assertion. An assertion which, if true, would place the men of this community where most certainly they are not, and hence can not be found. It is not true, Mr. Editor, that it can be a source of satisfaction to a single living soul to think any sane human being could commit so damnable, so inhuman, so utterly revolting a deed as that perpetrated in the Wharton case. Bad enough, too bad, too cruel, were the perpetrator insane, but utterly incomprehensible, utterly impossible, utterly beyond all reasonable toleration is the thought that any could derive satisfaction in the fact that the cruellest of cruel deeds was to be set down as a sane man's act and not as the work of one of ungodly mind. The Star writer himself in clearer moments of better thought would thankfully acknowledge that no men of sound mind are absolutely devilish. The Star writer apparently thinks that the degenerate Johnson been thought insane there would have been a miscarriage of justice, but, Mr. Editor, where a question of sanity is to be decided on what the Star calls "indefinite lines," may there be no miscarriage if a man is hanged owing to such indefiniteness? In a paper read in the section of neurology and medical jurisprudence, at the forty-fifth annual meeting of the American Medical Association, by Dr. T. D. Crothers, is the following:

"The delusions of the law insist on fixing boundaries of responsibility, and urge medical men to go into this penumbra region of sanity and insanity and draw lines between vice and disease, and indicate where human justice should punish and where excuse." It seems to many of the earth's most enlightened a poor use to which to put a murderer, to hang him, even when no question of sanity crops up; but when insanity appears possible, nay, probable, and the proof is difficult owing to the natural obscurities attending it, the possible nor appreciation of mental failure of an accused may well attend the giving of evidence of even medical men. In another place I have said, "Mental conditions where men constantly use alcohol and sometimes to excess, are, we are told on authority, profoundly involved, and the border line between sanity and its antithesis may not only not be strongly marked, but the reverse." An authority writing in the *Allenist* and *Neurologist* on "Unrecognized Toxic Insanities" says, "Criminal impulses to take advantage of or injure some one, bring these toxic insanities into prominence." * * * Such insanities are seldom or never recognized, except when some extraordinary change or conduct attracts unusual attention." The Star's "indefinite lines" are only too well known. Dr. Oscar T. Woods, medical superintendent of the District Asylum, recently said, "I have formed a strong opinion that there is much unregistered insanity still in the country and much neurotic disease existing to be turned into active insanity by the slightest exciting cause."

Dr. C. A. Drew, medical director State Asylum for Insane Criminals, Bridgewater, Mass., speaking on the correlation of alcoholism, crime and insanity, said, "The man who drinks because his comrades drink is not of a kind with him who yields to an impulse from within which has almost the relentless force of an epileptic explosion. The latter is just as truly the victim of a neurosis as the epileptic. The instinctive criminal, the habitual criminal, the occasional criminal, and the criminal by passion are not of a kind, although the lines of demarcation can not be sharply drawn. In all these cases, however, alcohol plays an important causative role, because, as Victor Horsley of England, Kraepelin of Germany, Berkeley of Johns Hopkins, and others have affirmed and demonstrated, the oft repeated presence of even a moderate quantity of alcohol in the circulation will cause marked changes in the cortical neurons of the brain, a change in the shape of the nucleus, the disappearance of the granular masses and the shrinking of the protoplasm of the cell body and are among the changes discovered by modern laboratory research." * * * These cells are the material basis of man's moral sense and conscience, the physical representatives of his aspirations, his likes, his dislikes, his hopes, his fears and his will power." It is known that drink played a part in the tragedy and it has been suggested that, outraged by not being supplied with it as he desired, Johnson, in revenge—think of it! in revenge—committed the atrocious and fearful deed! How can anyone conceive that a man of sound mind could have been influenced as has been suggested was Johnson? Dr. Peterson, president New York Commission on Lunacy, says in "Legal Medicine and Toxicology": "The alcoholic lunatic may be perfectly sane of the nature of his act, and may also know that it is wrongful, and yet the disease of his brain may so diminish the powers of resistance that he can not help but yield to a dominant."

MORE MONEY FOR RELIEF

Ten thousand dollars more for the relief work in San Francisco was forwarded yesterday on the S. S. Doric by the Governor's Relief Committee, making the total amount forwarded to date \$40,000. Of the amount forwarded yesterday \$2,500 will be turned over to the Salvation Army to distribute, \$1,250 to the Japanese Consul and \$1,250 to the Chinese Consul, leaving a balance of \$5,000 to be used as James F. Morgan, Hawaii's representative, may deem best.

This was authorized at a meeting of the committee held at the Bank of Hawaii yesterday morning. The amount collected to date, as reported by the treasurer, is \$45,667.12, exclusive of any amounts voted for relief purposes by the various fraternal orders, which leaves something over \$5,000 in the treasurer's hands. Of this a large amount will be required to pay cabling and other expenses at this end.

Contributions from the other islands and from local collections continue to come in for the relief fund. In the total reported yesterday morning by Treasurer Peck were amounts from Eleale, Lihue, Oahu and sums handed personally to Admiral Beckley, the special representative of the Relief Committee.

The employees of the McBryde Sugar Co., at Eleale, Kauai, sent \$229.30 through their manager, Wm. Stodart. The community of Lihue contributed a total of \$529.25, and the men of the Oahu Plantation make up a purse of \$75.50 for the cause.

T. E. Conant, of Kamuela, Hawaii, sent \$22.10, collected by him in a sparsely settled district. In addition to the subscription already given by the Inter-Island company, the employees of each of the boats are making up a list of subscribers.

From the High School pupils the committee acknowledges the receipt of \$31.40, while collections from many other sources are coming in.

On Sunday the committee of Chinese handling the Boycott funds had a meeting and decided to abide by the declared intention of dividing the sum of \$13,000 between San Francisco and the Canton hospital. The will probably hand over the San Francisco half to the Governor's Relief Committee today.

ARE COMING HOME ON THE ALAMEDA

The following dispatch was received at the Governor's office yesterday:

San Francisco, April 30, 12:50 p. m.

To ATKINSON, Honolulu. The following cabin passengers left San Francisco yesterday on the Alameda: Surgeon Smith, Miss Phillips, Miss Voss, L. A. Kerr, A. Cropp, Mrs. Scott and two children, Mrs. Holland and infant, P. R. Rice, Miss Rice, Miss Heitman, Mrs. Mohler, Mrs. Waterhouse, Mrs. Richards, Mrs. Hobron and daughter, Mrs. Smith, Mrs. K. Brown, Mrs. Pfotenbauer, Mrs. J. K. Brown, Mrs. Fraser, George Sherburdu, Mrs. Scoville, Mrs. Elschner, O. G. Bartlett, F. Schnack, Mrs. and Miss Roth, R. J. Burke, Miss Agnes Lyle, F. Shipman and wife, Mrs. Nora Ward, Mr. Wells, Miss Wells, Mrs. Brennan, Mrs. W. A. Clarke, F. L. Hoogs, O. E. Hamilton, J. Garmond, Miss Ambrose, J. J. Crockett, L. L. Gardner, R. S. Rimmington, W. Kennison, Mark Hardman, Alex. Leyton, Mrs. Benrose, C. Waterman, J. M. Macconelli, J. C. Cohen, Master Dillon, F. B. Mahone, Mrs. Berger, Mrs. Pierson, G. W. Wishard, Captain Morong and wife, Miss Ray Bell.

Seven hundred tons of general cargo. Fifty tons of cold storage.

RELIEF COMMITTEE TO WAIT A BIT

The Governor's relief committee expects to hear today from Mr. Morgan, their man on the ground, and will then decide on what will be necessary in the way of forwarding names for Mr. Morgan to look up. The committee has a small list of names of persons in whom people of the other islands are interested, and if necessary these will be cabled over.

"We are waiting now to get an exact account of where we stand in regard to liabilities," said H. P. Wood. "We do not want to end up in the hole and will probably not take any move for a day or two until we have all our accounts in and totaled."

WORD FROM HUTCHINS.

Clinton J. Hutchins has left San Francisco for Los Angeles. C. J. Falk, cashier of the Pacific Mutual Life Insurance Co. here, yesterday received a telegram from the company's offices in San Francisco, stating that the company's position is splendid though its loss was serious.

Joe Maril, alias Joe Soares, extracted \$5 from a Chinaman yesterday with the aid of a tin badge, posing as a police officer. The real police tumbled to his game and Joe-Joe is now in the cells on two charges, that of impersonating an officer and of larceny in the second degree.

Impulse and commit a criminal act.

Is it right, is it necessary that Johnson be hanged? The man of whom the Star has written, even while he occupies a felon's cell, and early death by hanging stares him broadly in the face. "He recognizes," reports the Star, "some of those who approach him, smiling the same smile which witnesses at his trial call 'silly.' Once again he is heard 'smiling the same smile which witnesses at his trial call 'silly.'"

CHAS. SCHUCHTER

Honolulu, April 28, 1906.

VIVID STORY FROM FIJI

(Continued from Page 1.) far beyond Van Ness avenue, and are wiping out buildings and seeking more to devour.

TWO-THIRDS GONE.

SAN FRANCISCO, April 20.—Up to early this morning over two-thirds of 'Frisco had been wiped out by fire, and nothing can save the city.

[Some of the city, however, was saved.]

STORRER'S OPINION.

NEW YORK, April 20.—The officials of the Postal Telegraph Company in this city at 8:30 a. m. received the following message from Mr. Storrer, the Superintendent of their service in 'Frisco: "The fire is still going on, and will probably consume the whole city, except those streets situated between the Golden Gate Park and Webster street, in which the fire department can work with some chance of success."

A DETAILED STORY.

SAN FRANCISCO, April 20.—When the heroic fire-fighters were making their last stand at the fire line on Van Ness avenue, panic reigned among survivors in other parts of the city. Intense heat and absence of water have been so terrible that scores have become frantic and others have dropped from exhaustion in the streets.

The streets are still choked with refugees hurrying hither and thither, scrambling wildly for an avenue of escape.

FRANTIC TO ESCAPE.

Since early morning, when the great rush of flame doomed the hotel and apartment house districts along Ellis, O'Farrell and Sutter streets, men, women and children have been rushing under heavy loads, some to the ferries in hopes of getting to Oakland, others to the hills, Golden Gate Park and the ocean beach. Famished women and children and exhausted men were kept walking several miles around North Shore in order to avoid the flames and reach the ferry. Many dropped to the street under the weight of their loads and willing fathers and husbands, their strength almost gone, strove to pick them up and urged them forward again.

CANNONADING FLAMES.

At 4 o'clock Mayor Schmitz and Chief of Police Dinan saw that the only hope of saving the Western addition with its forest of frame buildings and the Richmond district with its thousands of homes was to check the fire at Van Ness avenue, which crosses the city from north to south where the retail store and fine apartment house district ends and where the residence section begins. Orders were given to concentrate every fire engine at this avenue, and no panic. Nor were marines landed from warships to keep the peace. There were no warships in Honolulu at the time, in fact. The only excitement here was a great anxiety to hear from friends on the mainland, and a great desire to lend aid to relieve distress.

This canard is very probably to be traced to the false dispatch sent out from Honolulu relative to the seismograph record at Sial. It will be remembered that the persons sending that cablegram added to the seismograph record of the San Francisco earthquake the words: "No damage."

PROBABLY A CANARD.

SAN FRANCISCO, April 21 (later).—One hundred postal clerks were taken from the debris today. They were all thought to be dead, but it was found that, though they were buried three days, everyone was alive. They had been three days without food or water. All mail matter has been saved.

CHINESE SEND AID.

LOS ANGELES, April 21.—The Chinese population of Los Angeles today subscribed fifty thousand dollars in cash for the relief of the San Francisco earthquake victims, and also forwarded a carload of rice, vegetables and meat. Seventeen carloads of provisions left for San Francisco this afternoon, and as many more dispatched this evening.

REFUGEES IN THOUSANDS.

SAN FRANCISCO, April 21.—Twenty-five thousand people left yesterday and as many as can be carried by the ferries, probably twice the number, will leave today. All those who seek to cross the bay are given to understand that they may go to any point in the state on any transportation line free of charge, but that they may not return. This is imposed so as to relieve the food supply and is cheerfully complied with by the fleeing people.

The procession began this morning from the park, the Presidio and North Bay shore line. As soon as the word went out that it was safe to cross the burned district towards the ferry, there were two great processions to this point—one down Market street, the thoroughfare which was the pride of 'Frisco, and the other from the Presidio along the North Bay shore, thence southward along the water front to the Central Ferry Station.

LACK OF FOOD.

SAN FRANCISCO, April 21.—Persons in the city are unable to get food. The last loaf of bread and can of sardines sold for \$3.50. People are getting down on hands and knees drinking the muddy water in the streets. All Oakland restaurants are out of bread. Nearly every person in Oakland (a city of 50,000 inhabitants on the east side of San Francisco Bay, four and a half miles from San Francisco), has a refugee staying with them. The fire is out; practically everything that is burnable having been burnt in San Francisco.

It is reported that the fire is still burning.

Soldiers are burying the dead, and forcing civilians into doing duty—dig-

ging graves or trenches.

The Insane Asylum at Agnews also, 50 miles from San Francisco, is buried. The inmates are buried in the ruins. Not many dead were taken out.

The padded cells had to be broken open and bad inmates tied to trees.

[The food shortage, as is now known, has been abundantly met.]

NO ONE HURT HERE.

SAN FRANCISCO, April 21.—No one is hurt in Honolulu; no damage. The people, however, are panic-stricken and marines had to be landed from the warships to keep peace.

[This shows how idle rumors spread in times of great disaster. As all know, there was no earthquake in Honolulu, and no panic. Nor were marines landed from warships to keep the peace. There were no warships in Honolulu at the time, in fact. The only excitement here was a great anxiety to hear from friends on the mainland, and a great desire to lend aid to relieve distress.

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GEO. LUCAS DISCHARGED

George Lucas, first deputy clerk of the Judiciary and for fifteen years or more a clerk in the department, was yesterday morning dismissed under a cloud.

Chief Justice Frear had to give the disagreeable word of discharge when Lucas came to him with an admission that he could not satisfactorily explain his apparent implication in the shortage in department accounts which had been discovered. This, too, after he had been given two weeks to furnish an explanation.

It appears that Lucas drew five checks to the aggregate of \$669.08 against the funds of the department in bank, but the estates or causes on whose account the checks were drawn did not happen to have anything to their credit in such funds. This amount of \$669.08 is more than fourteen dollars in excess of the difference reported on Saturday between the amount for which P. D. Kellett, Jr., was held responsible and the total amount of the shortage in the department accounts.

Chief Justice Frear, in confirming yesterday afternoon the report that Lucas was dismissed for the cause above given, said that the affair was complicated. There were some features of it which possibly were capable of explanation to show that Lucas did not convert the money, or the whole of it, to his own use. Yet he had not so explained things and, in one case, the matter seemed very difficult of explanation.

However, the Chief Justice would say nothing at this stage to prejudice the case against Lucas. The matter was in the hands of the grand jury.

Nothing was done in the Judiciary department shortage by the grand jury yesterday, but it is not through with the investigation.

Jas. A. Thompson, the second deputy, acted in place of Lucas yesterday as clerk to the Supreme Court.

SPRAINED ANKLE, STIFF NECK, LAME SHOULDER.

These are three common ailments for which Chamberlain's Pain Balm is especially valuable. If promptly applied it will save you time, money and suffering when troubled with any one of these ailments. Sold by all dealers and druggists. Benson, Smith & Co., Ltd., agents for Hawaii.

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PUTS HER FOOT DOWN

Mrs. Nakuina does not consider that the Territory played fair in its experiment of dosing Frank Cooke's spring in Palolo with oil. Although the Territorial people produced native taro culturists to prove that, after the oil was put in above, their taro patches below took on a greasy aspect, they had neglected to notify Cooke's folks beforehand that the experiment was to be tried. Without believing that the Territory would do anything so tricky Mrs. Nakuina, as a judge, takes the view that it was possible for somebody to have treated the taro patches with an oblation of twenty-five cents' worth of petroleum.

Before adjourning the hearing of the Palolo water right case yesterday afternoon, the Commissioner stated that neither side had produced any evidence regarding certain springs in Palolo which came under her judicial cognizance when she personally visited the locality a few days ago. Both sides had rested without bringing in such available and, to her mind, material evidence. When native commuters of land up there talked to her about those other springs, the court stenographer was not there to take their statements before her as testimony.

Wherefore the Commissioner informed the parties in open court that, before closing the case, if one or both of them did not bring in witnesses to testify about those springs she herself would call them in. The hearing was continued till 10 o'clock this morning.

Deputy Attorney General Milverton appeared for the Territory, and D. L. Withington for A. Frank Cooke, who was also present.

KAUAI DECISION IS REVERSED

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A unanimous opinion of the Supreme Court, written by Justice Hartwell, has been rendered in the Kahiliina deed case from Kauai. It is against the plaintiffs. The decree of Judge Hardy is reversed and the bill is dismissed. An outline of the controversy, involving lands on Kauai valued at \$27,198, was before given exclusively in the Advertiser.

It was a bill to set aside two conveyances made April 15, 1890. By one of the deeds Anna Kani, who died February, 1891, wife of L. H. Kahiliina, who died November 17, 1902, conveyed to the defendant, H. A. Mika, all her property, as above mentioned. Mika, by the other deed, conveyed the same property to the husband, Kahiliina. A consideration of \$50 was named in each of the conveyances. The bill charged that the husband secured the execution of these deeds by fraud, duress and undue influence exercised by him upon his wife, and that the defendant Mika conspired with him in the fraud. Judge Hardy found that the charges in the bill were sustained and granted the decree prayed for, which the appellate court has now reversed as above stated.

J. H. Kahiliina, in whose favor the deeds were, was a prominent Home Rule politician of Kauai. He was a member of the Legislature of 1901.

ZEAVE DIVORCE CASE REOPENED

By a unanimous opinion, Chief Justice Frear its author, the Supreme Court has reversed an order by Judge Lindsay denying a motion "to set aside a decree of divorce," in the case of Fannie Zeave vs. Nathan Zeave, and permit the libellee to answer and present his defense, he having made no appearance before the hearing and decree.

E. A. Douthitt appeared for libellant, and J. J. Dunne for libellee. The cause is remanded to the Circuit Judge with directions to grant the motion.

LET THEM TELL IT.

The Public Utterances of Honolulu Citizens Are What Count. Publicity Is What the People Want.

Let them tell it. Let the public speak on the subject. It means better understanding. Means less misery in Honolulu. Means confidence in a good thing. Home endorsement counts. Easier to believe your neighbors. Tag strangers in a far-away town. Every box of Doan's Kidney Pills is backed by home testimony. Kidney disorders—urinary troubles—Are on the decrease here. Doan's Backache Kidney Pills are relieving backs and curing citizens. It is their daily work.

Here's a case in point. Cyrus R. Edison of Kapiohale Park, this city, says: "I am at present a teamster and came to the Islands fifteen years ago. Previous to that I drove a stage coach in the United States. These occupations necessitating my being out at all seasons were no doubt the cause of my kidney disorder. I had the ordinary symptoms of this complaint, and resorted to a host of things to cure it. All of them failed to do so, however, and when I had almost given up hope I heard about Doan's Backache Kidney Pills and got some at the Hollister Drug Co.'s store. They did indeed relieve me and I am quite satisfied with the benefit they have been to me."

Doan's Backache Kidney Pills are for sale by all dealers, price 50 cents per box (six boxes \$2.50). Mailed by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

The application of E. H. Piper for a fourth-class liquor license at Palolo, on Maui, has been turned down by the Territorial Treasurer for the reason that the applicant did not have the signatures of a majority of the owners of the property near the place where he proposed to sell liquor, as the law provides that he shall have.

It seems that Piper originally had the signatures, but that a number of property owners later withdrew their names from his application. He was then refused a license by Treasurer Campbell, notwithstanding which refusal Piper appealed under the arbitration clause of the law and named as his arbitrator E. Vincent. The Treasurer, as provided in the law, named E. F. Hanson, and these two selected as the third George W. Carr. As there was no question of the fact that the application did not have the signatures required, the arbitrators sustained Mr. Campbell and Piper will not get his license.

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